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HOUSE BILL 1080

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Delvin, Mielke, Roach, Woods, Carrell, Hatfield, Wood, Dunshee, DeBolt, Kirby, Buck, Quall, Upthegrove, Anderson and Alexander

Read first time 01/15/2003. Referred to Committee on Transportation.

1 AN ACT Relating to motorcycle equipment; and amending RCW 46.37.530  
2 and 46.37.535.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.37.530 and 1997 c 328 s 4 are each amended to read  
5 as follows:

6 ~~((1))~~ It is unlawful:

7 ~~((a))~~ (1) For any person to operate a motorcycle or motor-driven  
8 cycle not equipped with mirrors on the left and right sides of the  
9 motorcycle which shall be so located as to give the driver a complete  
10 view of the highway for a distance of at least two hundred feet to the  
11 rear of the motorcycle or motor-driven cycle: PROVIDED, That mirrors  
12 shall not be required on any motorcycle or motor-driven cycle over  
13 twenty-five years old originally manufactured without mirrors ~~((and  
14 which has been restored to its original condition and which is being  
15 ridden to or from or otherwise in conjunction with an antique or  
16 classic motorcycle contest, show, or other such assemblage: PROVIDED  
17 FURTHER, That))~~. No mirror is required on any motorcycle manufactured  
18 prior to January 1, 1931;

1       ~~((b))~~ (2) For any person to operate a motorcycle or motor-driven  
2 cycle which does not have a windshield unless wearing glasses, goggles,  
3 or a face shield ~~((of a type conforming to rules adopted by the state  
4 patrol))~~;

5       ~~((c))~~ (3) For any person under the age of twenty-one years to  
6 operate or ride upon a motorcycle, motor-driven cycle, or moped on a  
7 state highway, county road, or city street unless wearing upon his or  
8 her head a commercially manufactured protective motorcycle helmet ~~((of  
9 a type conforming to rules adopted by the state patrol))~~ except when  
10 the vehicle is an antique motor-driven cycle at least twenty-five years  
11 old, or an automobile that is licensed as a motorcycle, or ~~((when the))~~  
12 a vehicle ~~((is))~~ equipped with seat belts and roll bars ~~((approved by  
13 the state patrol))~~. The motorcycle helmet must be equipped with either  
14 a neck or chin strap which shall be fastened securely while the  
15 motorcycle or motor-driven cycle is in motion. Persons operating  
16 electric-assisted bicycles shall comply with all laws and regulations  
17 related to the use of bicycle helmets;

18       ~~((d))~~ (4) For any person to transport a child under the age of  
19 five on a motorcycle or motor-driven cycle~~((;~~

20       ~~(e) For any person to sell or offer for sale a motorcycle helmet  
21 which does not meet the requirements established by the state patrol.~~

22       ~~(2) The state patrol is hereby authorized and empowered to adopt  
23 and amend rules, pursuant to the Administrative Procedure Act,  
24 concerning the standards and procedures for conformance of rules  
25 adopted for glasses, goggles, face shields, and protective helmets))~~.

26       **Sec. 2.** RCW 46.37.535 and 1990 c 270 s 8 are each amended to read  
27 as follows:

28       It is unlawful for any person to rent out motorcycles, motor-driven  
29 cycles, or mopeds unless the person also has commercially manufactured  
30 motorcycle helmets on hand for rent ~~((helmets of a type conforming to  
31 rules adopted by the state patrol))~~.

32       It shall be unlawful for any person to rent a motorcycle, motor-  
33 driven cycle, or moped unless the person has in his or her possession  
34 a commercially manufactured motorcycle helmet ~~((of a type approved by  
35 the state patrol, regardless of from whom the helmet is obtained))~~.

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